

Investigation Process

What triggers an investigation by the N.C. Department of Labor's Occupational Safety and Health Division?

- A worker's death.
- Hospitalization of an employee, an amputation or the loss of an eye.
- The department may also receive information of a fatality or catastrophe from media reports or referrals from other government agencies.

How is the NCDOL OSH Division notified?

- An employer must notify NCDOL within eight hours of any work-related fatality. In-patient hospitalizations of one or more employees, any work-related amputation, and any work-related loss of an eye must be reported within 24 hours.

What will the investigation focus on?

- The investigation will usually be limited to the events surrounding the accident unless observations at the site indicate a broader investigation is needed.

What will happen during the investigation?

- An OSH investigator will go to the accident site and collect physical evidence, including photographs.
- The investigator will interview employees, witnesses and management officials about the accident to determine its cause.
- Any violations of safety and health standards will be noted and citations will be issued.

How long will the investigation take?

- An investigation can take anywhere from a few weeks to six months, depending on the complexity of the accident.

When are investigation results disclosed?

- Citations and penalties, if issued, can be released to the public on the issuance date.
- Other contents of the file cannot be released until the case is closed or final order on citations is rendered.



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Photo: NCDOL/Jeff Wilson

Material handling equipment includes construction equipment such as this small dozer.

The Investigation

OSH Investigators will seek to determine several factors, including whether:

- Equipment included a horn.
- Operator used caution when equipment was in reverse mode.
- Cab glass provided a clear view without distortion.
- Seat belts were provided when required.
- Equipment was inspected on a regular basis to make sure it was in proper working order.
- Employees were trained on the hazards found on the jobsite.
- Work area was checked for pedestrians and other workers who may be in the path of the equipment.
- Employees wore high visibility vests.
- Guide stayed in the sight of the equipment operator.

Standards: 29 CFR 1926.602, Material Handling Equipment

Industry Type: Construction

Accident Type: Struck by material handling equipment

Statistical Data: Five of the 40 workplace fatalities NCDOL investigated from Oct. 1, 2013, through Sept. 30, 2014, involved being struck by equipment.

What programs does the Department of Labor have in place to prevent struck-by accidents?

Construction special emphasis program: Increased training and attention in a dangerous industry.

Free training: Workshops, training and consultation in both English and Spanish.

Publications: Brochures and industry guides that address struck-by hazards.